

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 1/14/2014	(3) CONTACT/PHONE James Caruso, Senior Planner/805 781-5702	
(4) SUBJECT A request by the County of San Luis Obispo to authorize processing of amendments to Title 19, Section 19.07.042e (Building and Construction Ordinance) and Title 8, Chapter 8.91 of the County Code to revise the Los Osos Groundwater Basin plumbing retrofit programs, including clarification of the source of retrofit credits and status of water conservation certificates. District 2.			
(5) RECOMMENDED ACTION It is recommended that the Board review the possible amendments to the Los Osos Groundwater Basin plumbing retrofit programs in Titles 19 and 8 and determine whether to authorize processing.			
(6) FUNDING SOURCE(S) Department Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____ ) <input checked="" type="checkbox"/> Board Business (Time Est. <u>60 mins</u> )			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A    Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) District 2 -			

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / James Caruso, Senior Planner/805 781-5702

DATE: 1/14/2014

SUBJECT: A request by the County of San Luis Obispo to authorize processing of amendments to Title 19, Section 19.07.042e (Building and Construction Ordinance) and Title 8, Chapter 8.91 of the County Code to revise the Los Osos Groundwater Basin plumbing retrofit programs, including clarification of the source of retrofit credits and status of water conservation certificates. District 2.

## **RECOMMENDATION**

It is recommended that the Board review the possible amendments to the Los Osos Groundwater Basin plumbing retrofit programs in Titles 19 and 8 and determine whether to authorize processing.

## **DISCUSSION**

### **Title 19 Revisions**

In 2008, your Board adopted changes to Title 19 of the County Code that required new development in Los Osos to offset twice the amount of its new groundwater demand. At the time, your Board emphasized the importance of the program's success. Staff designed the retrofit program to ensure that sufficient water would be conserved through retrofitting of existing homes and businesses to meet the 2:1 goal.

The program has been in existence for five years and some circumstances have changed. These changes need to be reflected in amendments to the ordinance's approach to water resources for new development. Staff recommends reviewing three possible revisions to Title 19 and one possible revision to Title 8 requirements in Los Osos:

#### **1. Retrofit Area**

Since the beginning of the Title 19 retrofit-to-build program, the Prohibition Zone (PZ) was the main source for retrofit credits, although the ordinance also applies outside of the PZ within the Los Osos Groundwater Basin. This was due to the age of the housing stock in the PZ. The older housing stock had more large-volume toilets that could be replaced for water savings. However, the intent of the retrofit-to-build requirement was for new development to save twice the amount of water it used. The 2:1 retrofit requirement and the very conservative nature of the program assumptions were to ensure that this goal would be met.

Now that the properties in the PZ are required to be retrofitted in order to hook up to the new sewer, retrofitting to build has ended in the PZ. If both programs were allowed to go on simultaneously, new development would no longer be saving water on even a 1:1 basis as those houses already have a mandatory retrofit requirement. Therefore, the ordinance should reflect that only those properties outside the PZ may be used for the Title 19 retrofit-to-build program.

## **2. Table of Retrofit Credits**

The table in Title 19 identifies the number of gallon retrofit credits that can be received from retrofitting toilets and showerheads. The table and the credits were devised in 2008 when yearly average residential water use in Los Osos was approximately 0.35 acre feet per residence. Now, with the adoption of the new water efficiency requirements in Cal Green (California Residential Building Code), new construction will have very little indoor water use.

The Title 19 table can be changed administratively. The indoor water demand for new construction subject to Cal Green has been estimated at 105 gallons per household per day (or approximately 0.12 acre feet per year). According to data from water providers, indoor water use in the coastal region is about 70 percent of total water use. Estimated total water use would be about 150 gallons per household per day (105/.7). Therefore, the 2:1 retrofit requirement will require 300 retrofit credits for each new residence instead of the 900 currently required.

## **3. PZ Lots with Water Conservation Certificates**

Since the inception of the retrofit-to-build program in 2008, 8 of the 18 water conservation certificates have been issued to vacant properties in the PZ. Property owners have stated that the primary reason for this is as an “insurance policy” to assure they have water for their vacant lot once the wastewater project is completed. These owners are concerned that there is no acknowledgment that these certificates will be valid in the future on PZ lots. If the amendments are authorized for processing, staff will identify and recommend alternative methods for acknowledging these certificates.

## **Title 8 - Retrofit on Sale**

The Title 8 retrofit-on-sale ordinance was adopted at the same time as the Title 19 retrofit-to-build ordinance. Both have been in place for approximately 5½ years. This program, along with the wastewater project mandatory retrofit program in the PZ, has completed the retrofitting in this area of the community. However, the program also applies outside of the PZ within the Los Osos Groundwater Basin. The Title 8 program has administrative and cost burdens on buyers, sellers and representatives. If the amendments are authorized for processing, staff will evaluate the retrofit-on-sale ordinance and recommend whether or not it should be continued or revised.

## **OTHER AGENCY INVOLVEMENT/IMPACT**

If the amendments are authorized for processing, staff will contact and consult with the Public Works Department, water providers and other interested organizations and agencies.

## **FINANCIAL CONSIDERATIONS**

These ordinance amendments will be funded out of the Department's current budget. No additional funding is being requested.

## **RESULTS**

Authorization for processing these ordinance amendments will result in a review and possible revisions to the Title 19 and Title 8 retrofit programs for Los Osos.